

REMARKS

Turning to the references cited by the Examiner, the principal reference relied upon is G.B. Patent No. 2355636, to Hancock et al. As set forth in its Abstract, Hancock et al. relates to a hook and leader arrangement wherein a bait is attached to a "twin ply line," which line is held in varying relationships to a hook by a series of rings and rubber stops. Hancock et al. does not disclose a fishing lure having a tube against which a bait may be held by a metal wire wrapped therearound.

In the Office Action, the Examiner states that Hancock "discloses a shaft - at either B or C, connected at one end to a hook". Applicant submits that Hancock et al. does not disclose a shaft, but rather discloses a flexible leader which is referred to as a "hook length," apparently British terminology for a leader. At page 3, Hancock et al. states:

Whether on B the first part of the hook length nearest A or C the second part of the hook length i.e.. it is after the hinge R & S that joins B to C shown in Fig 1 & 2. The hinge R & S is created out of a supple hook length material that is coated by a hard casing in other words the two types used are snakeskin and snakebite the first has a multi strand effect which basically means thousands of micro strand fibres laying side by side to form a hook length material that in its normal state before coating was breaking at around 70 Lbs.

Applicant submits that it is clear that the reference to "hook length material" is to a 70 pound leader and not a shaft of the type disclosed and Claimed in the present application.

Referring to Fig. 3ZT, the bait I is shown mounted on an element J and held in place by K. (See page 8.) This bait floats freely above the hook and leader arrangement and can travel on a line B. Hancock et al. does not disclose a metal wire wrapped around the bait.

In the Office Action, the Examiner also rejected Claims 12 and 13 over Richardson, U.S. Patent No. 5,881,490. Richardson shows a conventional hook and leader arrangement wherein the bait is mounted on hooks, not on a bait mounting surface. Richardson discloses a wire 34 which is held in place on the leader 12 by forming a loop 36 over which a metal sleeve 40 is slipped. The free end of wire 34 is then used to wrap around the mouth of a whole bait fish which is mounted on the hooks. The metal wire in Richardson is not designed to hold the bait in place on a surface, but rather is designed to solve the problem of a herring's mouth opening during trolling, which creates jerky, non-lifelike motions. (See Col. 3, lines 5-22, of Richardson.) Applicant has amended Claim 12 to more clearly define the surface on which the bait is mounted as being a tube. Richardson does not disclose such a bait-holding surface. Element 12 of Richardson is a conventional leader, not a tube adapted to support a bait which can then be held in place by wrapping a metal wire therearound.

In the Office Action, the Sokolik Patent No. 2,636,306 was cited for its alleged disclosure of a metal wire that "maintains a wrapped shape around the bait." Sokolik does not disclose a wire of the type described in applicant's Claims, which is adapted to be wrapped around a bait in a positioned surface to hold it in place. Sokolik discloses a cage for holding live bait formed from a pair of rigid spring wires which are permanently shaped "into a truncated helical coil 16." (See Col. 2, lines 23-37.) There is no teaching in either reference of combining Hancock et al. and Sokolik, and to do so would not produce applicant's invention. Sokolik does not disclose a wire which can be wrapped and unwrapped around a bait, and Hancock et al. does not disclose a tubular surface for mounting a bait to be held by the wire.

In the Office Action, the Examiner also combined the Hancock et al. patent as modified by Sokolik further in view of Hinkson U.S. Patent No. 3,293,791. Hinkson discloses another hook and leader arrangement and is principally directed to apparatus adapted to be inserted into

the mouth of a herring and then bent to cause the bait to take on a particular shape. Hinkson also discloses a leader encased in a tube 50 "which protects the leader from being bitten through by the predatory fish." (Col. 3, lines 28-30.) There is no disclosure in Hinkson of positioning a bait around tube 50. Hinkson does not disclose a fishing lure having a surface upon which a bait may be positioned and held in place by wrapping a metal wire therearound.

In the Office Action, Claims 7 and 10-11 were also rejected under § 103 as being unpatentable over the combination of Hancock et al. and Mantel, U.S. Patent No. 3,795,074. Mantel is cited for its alleged disclosure of an elastic tube 42. Tube 42, however, is described as "a helically-coiled wire spacer sleeve 42" (Col. 3, line 6) which holds two bearing beads 44 and 46 apart. Sleeve 42 is described as a "non-slip member for pierceably inserting guide member 14 into a worm. Mantel does not disclose mounting a bait on the coiled wire spacer 42, nor is this spacer "elastic" in the sense that either of its ends may be stretched and a metal bead inserted and elastically held, as disclosed in applicant's invention.

Finally, Claim 8 was rejected under § 103 over the combination of Hancock et al. and Maglinger, U.S. Patent No. 3,372,508. As shown in Figure 2, Maglinger discloses use of a wire 15 coiled about the shaft of a hook to provide a loop through which a string is tied and then wrapped around a grasshopper bait. The wire of Maglinger is not wrapped around the bait as disclosed in applicant's invention.

In summary, applicant respectfully submits that the Hancock et al. reference does not anticipate Claim 1, nor does the Richardson reference anticipate Claims 12-13. Further, there is no teaching in any of the art cited to combine either of these references with Sokolik, Hinkson, Mantel, or Maglinger to make obvious Claims 3-11.

Applicant has amended certain of the Claims to more clearly define the unique nature of its fishing lure comprising a tubular bait holder on which bait is held in place by a metal wire

which may be wrapped and unwrapped therearound. Applicant submits that in light of the above discussion of the cited art and the changes to the Claims, the Claims as redrafted are in condition for allowance and allowance is respectfully requested.

Respectfully submitted,

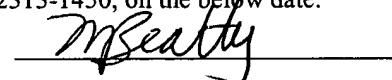
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